

FALL TOWN MEETING WARRANT 2014

TOWN OF WALPOLE

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To any constable in the Town of Walpole

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Walpole, qualified to vote in elections in town affairs, to meet in the Auditorium of the Walpole High School located at 275 Common Street in said Walpole on

**THE THIRD MONDAY IN OCTOBER, IT BEING THE
TWENTYTH DAY OF SAID MONTH, 2014**

at 7:30 p.m. then and there to see if the Town will vote to amend the By-laws and Zoning By-laws to said Town and act on the following articles:

ARTICLE 1: To hear and act on the report of any committee or to choose any committee the Town may think proper and transact any other business that may legally come before the Town. (Petition of the Board of Selectmen)

ARTICLE 2: To see if the Town will vote to raise and appropriate, borrow, transfer to and/or from FY 2015 accounts appropriated at the 2014 Spring Annual Town Meeting, and/or transfer from available funds sums of money to defray departmental and incidental expenses of the Town for the fiscal year 2015 commencing July 1, 2014, or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 3 : To see if the Town will vote to transfer from Free Cash, a supplemental sum of money, said funds collected from Medicaid reimbursements, for the FY' 2015 School Budget, or to take any action in relation thereto. (Petition of the School Committee)

ARTICLE 4: To see if the Town will vote to transfer from available funds a sum of money for the FY15 School Budget representing amounts paid into the General Fund for student parking, or to take any action in relation thereto. (Petition of the School Committee)

ARTICLE 5 : To see if the Town will vote to raise and appropriate, and/or transfer such sum or sums of money as may be required for payment of unpaid bills of previous years, incurred by the departments,

boards, and officers of the Town of Walpole, or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 6: To see if the Town will vote to raise and appropriate, borrow and/or transfer a sum or sums of money as may be required for the purchase of capital equipment, including but not limited to vehicles, machinery, and computer/network systems, for the various departments of the Town of Walpole, or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 7: To see if the Town will vote to raise and appropriate, borrow and /or transfer a sum or sums of money to resurface, repair and/or reconstruct certain streets and/or sidewalks, to make drainage improvements in certain Town roads, and to rebuild certain manholes and catch basins in the Town, or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 8: To see if the Town will vote to raise and appropriate, borrow and/or transfer a sum or sums of money to implement a Capital Improvement Program, to protect, improve, and/or modify the physical infrastructure, including but not limited to municipal buildings, facilities, parking lots, fields and other properties, of the Town of Walpole, or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 9 : To see if the Town will vote to raise and appropriate or transfer a sum or sums of money from available funds for the purpose of supplementing the Stabilization Fund as authorized by Chapter 40, Section 5B of the Massachusetts General Laws as amended, or to take any action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 10: To see if the Town will vote to raise and appropriate or transfer a sum or sums of money from available funds for the purpose of supplementing the fund known as the Other Post Employment Benefits Liability Trust Fund (OPEB) as authorized by Chapter 32B, Section 20 of the Massachusetts General Laws, or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 11: To see if the Town will vote to approve the monetary items in an agreement between the Town of Walpole and the American Federation of State, County and Municipal Employees, AFL-CIO, State Council 93, Local 1957 Department of Public Works Employees and to raise and appropriate and/or transfer a sum of money to defray the costs of said agreement for the period July 1, 2014 through a term to be determined, or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 12: To see if the Town will vote to approve the monetary items in an agreement between the Town of Walpole and the American Federation of State, County and Municipal Employees, AFL-CIO, State Council 93, Local 1957 Town Hall Clerical Union and to raise and appropriate and/or transfer a sum of money to defray the costs of said agreement for the period July 1, 2014 through a term to be determined, or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 13: To see if the Town will vote to approve the monetary items in an agreement between the Town of Walpole and the Massachusetts Coalition of Police (IUPA, AFLCIO) Local 115 Walpole and to raise and appropriate and/or transfer a sum or sums of money to defray the cost of said agreement for the period of

July 1, 2014 through a term to be determined, or do or act anything in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 14: To see if the Town will vote to approve the monetary items in an agreement between the Town of Walpole and the American Federation of State, County and Municipal Employees, AFL-CIO, State Council 93, Local 1957 Library Employees and to raise and appropriate and/or transfer a sum of money to defray the costs of said agreement for the period July 1, 2014 through a term to be determined, or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 15: To see if the Town will vote to transfer the sum of \$150,000 from Free Cash for the purpose of making parking lot improvements, including lighting, striping, and any other associated work thereon, on the so-called "Westerly Side" of the South Street Superfund Site, land as shown on Walpole Assessors Map 33, Parcel 33-174, or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 16: To see if the Town will vote to transfer a sum of money from Free Cash for the purpose of building removal and associated site preparation and or remediation on land as shown on Walpole Assessors Map 33, Parcels 33-126 and 33-127, the so-called "Easterly Side" of the South Street Superfund Site, or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 17 : To see if the Town will vote to appropriate \$29,450,000 or any other amount, to pay costs of architectural design and constructing, originally equipping and furnishing a new Police Station, Senior Center, Fire Station, and Public Works building, and the renovation of, equipping of and improvements to the Town Hall, Public Works Garage, and current Police Station (as part of the new Fire Station), along with any and all work associated with and appurtenant thereto, including the cost of a project manager and other related costs; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or any combination of the foregoing; to authorize the Selectmen to apply for and expend funds received from state or federal grants associated with the project; and further that any appropriation hereunder shall be expressly conditioned upon the Town voting no later than authorized by the provisions of G.L. c.59, §21C, to exempt from the provisions of Proposition 2½, so-called, the amounts required to pay for any bonds issued in order to meet said appropriation; or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 18: To see if the Town will vote to authorize the Board of Sewer and Water Commissioners to acquire by purchase, gift, and/or eminent domain all or a portion or portions of the parcel of land located at 691 Common Street in said Walpole and described in a deed recorded with the Norfolk County Registry of Deeds in Book 3046, Page 670, for water supply protection purposes, pursuant to the provisions of G.L. c.40, §§39B and 41, and, as funding therefor, to raise and appropriate, transfer from available funds, and/or borrow a sum of money for the foregoing purposes and costs related thereto, and to authorize the Treasurer, with the approval of the Board of Selectmen to borrow a sum of money pursuant to G.L. c.44, §8(3) or any other enabling authority, it being the intention that the debt service costs of the borrowing authorized by this vote be raised through water rates as a charge to the Water Enterprise Fund, and, further, to authorize the Board of Sewer and Water Commissioners to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effectuate said acquisition, and to permit such incidental recreation uses on

said property as the Board of Sewer and Water Commissioners deems appropriate; or to take any action in relation thereto. (Petition of the Sewer and Water Commission)

ARTICLE 19: To see if the Town will vote to borrow \$336,050 for Phase VIII and Phase IX of the infiltration and inflow removal program for the Town sewer system; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$336,050 under G.L. c.44, §§7 or 8 or any other enabling authority; that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Water Resources Authority (MWRA) and in connection therewith, to enter into a loan agreement and financial assistance agreement with the MWRA with respect to such loan; that the Board of Selectmen be authorized to contract for and expend any federal, state or other aid available for the project, including any grant related to such project from the MWRA; and that the Board of Selectmen and Board of Sewer and Water Commissioners are authorized to take any other action necessary to carry out this project, or to take any action in relation thereto. (Petition of the Sewer and Water Commission)

ARTICLE 20: To see if the Town will vote to authorize the Sewer and Water Commission and appropriate from Water Enterprise Fund retained earnings or to raise and appropriate, borrow and/or transfer a sum of money to remove and legally dispose of the PCB and lead contaminated soils from the property of the former High Plain Street tank site at 193 High Plain Street, or to take any action in relation thereto. (Petition of the Sewer and Water Commission)

ARTICLE 21: To see if the Town will vote to accept G.L. c.39, §23D for the Conservation Commission and the Zoning Board of Appeals, which section provides that a member of a multiple member body holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to the member's absence from one session of such hearing, provided that certain conditions as established by said statute are met, or take any action in relation thereto. (Petition of the Zoning Board of Appeals/Conservation Commission).

ARTICLE 22: To see if the Town will vote to amend Chapter 561 of the General Bylaws, "Wetlands Protection," by making additions to and deletions from the current text, as follows (additions to the current text are shown as underlined, and deletions from the current text are shown as ~~strikethrough~~):

TOWN OF WALPOLE WETLAND PROTECTION BY-LAW
(Article XXIV of the 1973 General Bylaw)
Chapter 561, Division 2, Part II Regulatory Bylaws of the General Bylaws
(as revised 10/20/1997 and 9/20/2008, 10/20/2009)

Section§ 561-1. Purpose.

The purpose of this ~~Bylaw~~ is to protect wetlands, water resources, flood prone areas and adjoining land areas in this municipality by controlling activities deemed by the Conservation Commission ("Commission") likely to have significant or cumulative effect upon wetland values, including but not limited to the following: public

or private water supply, ground water, flood control, water pollution, erosion and sedimentation control, storm damage prevention, fisheries, shellfish, wildlife habitat, recreation, aesthetics, and agricultural values (collectively, the "wetland values protected by the bBylaw ").

Section§ 561-2. Jurisdiction.

Except as permitted by the ~~Conservation~~ Commission or as provided in this bBylaw, no person shall remove, fill, dredge, build upon or alter protected resource areas as defined in ~~Section §561-9~~.

Section§ 561-3. Exceptions.

The permits and applications required by this bBylaw shall not be required for maintaining, repairing or replacing but not substantially changing or enlarging an existing and lawfully located structure or facility used in the service of the public to provide electric, gas, water, telephone, telegraph or other telecommunication services, provided that ~~the structure or facility is not substantially changed or enlarged, provided that~~ written notice ~~has been~~ is given to the Commission prior to commencement of work, and ~~provided that~~ the work conforms to the performance standards and design specifications in regulations adopted by the Commission.

The permits and applications required by this bBylaw shall not apply to emergency projects necessary for the protection of the health or safety of the public, provided that the work is to be performed by or has been ordered to be performed by an agency, the Commission, or a political subdivision thereof; ~~provided that~~ advance notice, oral or written, has been given to the Commission prior to commencement of work or within 24 hours after commencement; ~~provided that~~ the ~~Conservation~~ Commission or its agent certified the work as an emergency project; the work is performed only for the time and at the place certified by the ~~Conservation~~ Commission for the limited purposes necessary to abate the emergency; ~~and provided that~~ within 21 days of commencement of an emergency project, a permit application shall be filed with the Commission for review as provided in this bBylaw. Upon failure to meet these and other requirements of the Commission, the Commission may, after notice and public hearing, revoke or modify an emergency project approval and order restoration and mitigation measures.

Other than stated in this section, the exceptions provided in the Wetlands Protection Act shall not apply.

Section§ 561-4. Application for Permits and Requests for Determination.

Written application shall be filed with the Commission to perform activities regulated by this bBylaw affecting resource areas protected by this bBylaw or to determine the boundaries of the resources areas defined under §561- 9 of this Bylaw. The application shall include such information and plans as are deemed necessary by the Commission to describe the proposed activities. ~~Such~~ No activities shall ~~not~~ commence without receiving and complying with a permit or determination issued pursuant to this bBylaw.

The Commission, in an appropriate case, may accept as the application and plans under this bBylaw, any application and plans the Notice of Intent and plans filed under the Wetlands Protection Act, M.G.L., Chapter c. 131, Section § 40 and regulations(set forth at 310 CMR 10,00 et seq.), but the Commission is not obligated to do so.

Any person desiring to know whether or not proposed activity ~~on an area~~ is subject to this ~~b~~Bylaw may, in writing, request a determination from the Commission. Such a request for determination shall contain ~~data~~ information and plans as is deemed necessary by the Commission to make such determination specified by the regulations of the Commission.

At the time of an application or request, the applicant shall pay a filing fee specified in the regulations of the Commission. This fee is in addition to that required by the Wetlands Protection Act, M.G.L., c. 131, §40. ~~In addition, the Commission is authorized to require the applicant to pay the costs and expenses of any expert consultant deemed necessary by the Commission to review the application or request up to a maximum of \$2,500.~~ Pursuant to M.G.L. c. 44 §53G, the Rules for Hiring Outside Consultants and Regulations promulgated by the Commission under this Bylaw, the Commission may impose reasonable fees upon the applicant to aid in the review of a proposed project. The Commission may waive the filing fee and costs and expenses for an application or request filed by a government agency and shall waive them for a request for determination filed by a person having no financial connection with the property which is the subject of the request.

Section §561-5. Notice of Hearing.

Any person filing ~~an permit application, or a request for a determination,~~ a request for resource area delineation, or a request for an amendment with the Commission shall at the same time ~~shall~~ give written notice thereof, by certified mail, ~~C~~certificate of ~~M~~ailing, or hand delivery, to all the abutters (as defined in ~~section §561-9 of the Bylaw~~) according to the most recent records of the assessors. ~~including those across a traveled way or body of water.~~ The notice to abutters shall enclose a copy of the application or request, with plans, or shall state where copies may be examined and obtained by abutters free of charge. Notice to abutters is not required for requests for determination for proposed activities. When a person requesting a determination is other than the owner, the request, the notice of the hearing, and determination ~~itself~~ shall be sent by the Commission to the owner as well as to the person making the request. The Commission shall conduct a public hearing on any application or request for determination, with written notice given at the expense of the applicant, at least five working days prior to the hearing, in a newspaper of general circulation in the municipality.

The Commission shall commence the public hearing within 21 days from receipt of a completed application or request for determination.

The Commission shall issue its permit or determination in writing within 21 days of the close of the public hearing thereon.

The Commission in an appropriate case may combine its hearing under this ~~b~~Bylaw with the hearing conducted under the Wetlands Protection Act, M.G.L., c. 131, ~~Section §40~~ and the regulations.

The Commission shall have authority to continue the hearing to a date announced at the hearing, for reasons stated at the hearing, which may include receipt of additional information offered by the applicant or others, information and plans required of the applicant, deemed necessary by the Commission at its discretion, or comments and recommendations of boards and officials listed in ~~Section §561-~~ 6. In the event the applicant

objects to a continuance or postponement, the hearing shall be closed by the Commission and the Commission shall take action on such information as is available.

Section§561-6. Coordination with the Other Boards.

Any person filing a permit application or a request for determination with the Commission, shall provide a copies thereof at the same time, ~~by certified mail or hand delivery for distribution to the Town Board of Selectmen, Planning Board, Board of Appeals, Board of Health, Building Inspector, and the Town Engineer, and other departments as deemed necessary.~~ The Commission shall take no final action until such boards and officials have had 14 days from the receipt of the ~~notice~~copies to file written comments and recommendations with the Commission, which the Commission shall take into account but which shall not be binding on the Commission. The applicant shall have the right to receive any such comments and recommendations, and to respond to them at a hearing of the Commission, prior to final action.

Section§561-7. Permits, Determinations, and Conditions

If the Commission, after a public hearing, determines that the activities which are the subject of the application are likely to have significant or cumulative effect upon the wetland values protected by this ~~the~~Bylaw, the Commission, within 21 days of the close of the hearing, shall may issue or deny a permit for the activities requested. If it issues a permit, the Commission ~~shall~~ may impose conditions which the Commission deems necessary or desirable to protect those values and all activities shall be done in accordance with those conditions.

The Commission is empowered to deny a permit for failure to meet the requirements of this ~~the~~Bylaw, for failure to submit necessary information and plans requested by the Commission; for failure to meet the design specification, performance standards, and other requirements set forth in the regulations of the Commission; for failure to avoid or prevent unacceptable significant cumulative effects upon the wetland values protected by this ~~the~~Bylaw; and where no conditions are adequate to protect those values. Due consideration shall be given to any demonstrated hardship on the applicant that would be caused by denial that is presented at the public hearing. ~~by reason of denial, as presented at the public hearing.~~

A determination of applicability will be made by the Commission in writing and may contain conditions.

~~A~~pPermits and determinations shall expire three years from the date of issuance. Notwithstanding the above, the Commission, at its discretion, may issue a permit expiring five years from the date of issuance for recurring or continuous maintenance work provided that annual notification of time and location of work is given to the Commission. Any permit may be renewed ~~once~~ for an additional one year period, provided that a request for a renewal is received in writing by the Commission prior to expiration.

For good cause, the Commission may revoke or modify a permit issued under this ~~the~~Bylaw after public notice, public hearing and notice to the holder of the permit. The Commission, in an appropriate case, may combine the permit or other action on an application issued under this ~~the~~Bylaw with the Order of Conditions issued under the Wetlands Protection Act.

Section§ 561-8. Regulations.

After public notice and public hearing, the Commission shall promulgate rules and regulations to effectuate the purpose of this ~~b~~Bylaw. Failure by the Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this ~~b~~Bylaw. Regulations shall include filing procedures.

Section§ 561-9. Definitions.

The following definitions shall apply in the interpretation and implementation of this ~~b~~Bylaw.

Abutter - is any landowner, as determined by the most recent assessors' records, whose land abuts the property that is the subject of ~~the Notice of Intent or an application or request, including~~ whose land lies directly across any street, road, river, stream, brook or creek from the said property, or whose land is within 300 feet of the subject property.

Action by the ~~Conservation~~ Commission - Where this ~~b~~Bylaw states that a particular action (except receipt of a request or notice) is to be taken by the ~~Conservation~~ Commission, that action shall be taken by more than half of the members present at a meeting of at least a quorum.

Alter - shall include, without limitation, the following activities when undertaken to, upon, within or affecting areas protected by this ~~b~~Bylaw:

- (a) Removal, excavation or dredging of soil, sand, gravel, or aggregate materials of any kind;
- (b) Changing of pre-existing drainage characteristics, flushing characteristics, sedimentation patterns, flow patterns, or flood retention characteristics;
- (c) Drainage or other disturbance of water level or water table;
- (d) Dumping, discharging or filling with any material which may degrade water quality;
- (e) Placing of fill, or removal of material, which would alter elevation;
- (f) Driving of piles, erection or repair of buildings, or structures of any kind;
- (g) Placing of obstructions or objects in water;
- (h) Destruction of plant life including cutting trees;
- (i) Changing water temperature, biochemical oxygen demand, or other physical or chemical characteristics of water;
- (j) Any activities, changes or work which may cause or tend to contribute to pollution of any body of water or ground water.

Applicant - as used in these regulations, shall mean a person giving notice of intention to remove, fill, dredge, build upon, or alter, or a person on whose behalf such a notice is filed.

Bank - is defined as it is in 310 CMR 10.00.

Bog - See Marsh

Freshwater Wetland - is defined as it is in M.G.L. Chapter 131, Section 40.

Land Actively Devoted to Agricultural Use - is defined as it is in 310 CMR 10.00.

Land Subject to Flooding or Inundation - is defined as it is in 310 CMR 10.00

Normal Maintenance and Improvement - shall be defined as it is in 310 CMR 10.00.

Marsh, Bog, Wet Meadow and Swamp - are defined as they are in M.G.L. Chapter 131, Section 40, and are collectively known as vegetated wetlands. Credible evidence as to wetland affinities of other vegetation in an area shall be considered in making wetland determinations.

Person - shall include any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the commonwealth or political subdivision thereof to the extent subject to town bylaws, administrative agency, public or quasi-public corporation or body, this municipality, and any other legal entity, its legal representatives, agents, or assigns.

Protected Resource Area - shall mean the following areas: any bank, freshwater wetland, marsh, bog, wet meadow, swamp, stream, river, pond, lake, vernal pool, or any land bordering thereon, or any land subject to flooding or inundation. Said resource areas shall be protected whether or not they border surface water. Bordering in this context shall mean either (a) 100 feet horizontally lateral from any of the foregoing areas; or (b) 100 feet horizontally lateral from the water elevation of the 100 year storm, whichever is the greater of (a) or (b); and (c) land within 200 feet of the mean annual high-water line of any year round river or stream.

Quorum - is defined as it is in ~~section 310 CMR 10.05(2) of the Wetlands Act Regulations, as said Regulations may from time to time be amended.~~

Swamp - See Marsh

Wet Meadow - See Marsh

~~Section~~§ 561-10. Security.

As part of a permit issued under this ~~Bylaw~~ in addition to any security required by any other municipal or state board agency or official, the Commission may require that the performance and observance of the conditions imposed hereunder be secured wholly or in part by one or more of the methods described below:

- (a) By a proper bond or deposit of money or negotiable securities or other undertaking of financial responsibility sufficient in the opinion of the Commission;
- (b) By a conservation restriction, easement or other covenant enforceable in a court of law, executed and duly recorded by the owner of record, running with the land to the benefit of this municipality whereby the permit conditions shall be performed and observed before any lot may be conveyed other than by mortgage deed.

~~Section~~§ 561-11. Enforcement; violations and penalties

The Commission, its agents, officers, and employees shall have authority to enter upon privately owned land for the purpose of performing their duties under this ~~Bylaw~~ to the extent permitted by law, and make or cause to be made such examination surveys or sampling as the Commission deems ~~necessary~~ appropriate.

The Commission shall have authority to enforce this ~~Bylaw~~, its regulations, and permits issued thereunder by violation notices, administrative orders, and civil and criminal court actions. Upon request of the Commission, the City Council/Board of Selectmen and the City Solicitor/Town Counsel shall take legal action for enforcement under civil law. Upon request of the Commission, the Chief of Police shall take legal action for enforcement under criminal law. Municipal boards and officers, including any police officer or other officer having police powers, shall have authority to assist the Commission in enforcement.

Any person who violates any provision of this ~~Bylaw~~, regulations thereunder, or permits issued thereunder, shall be punished by a fine of not more than \$300 each day or portion

thereof during which a violation continues. Each violation shall constitute a separate offense, and each provision of the ~~this~~ Bylaw, regulations, or permits violated shall constitute a separate offense.

In the alternative to criminal prosecution, the Commission may elect to utilize the non-criminal disposition procedure set forth in §295-4 of the Town's General Bylaws and M.G.L. c. 40, §21D.

Section § 561-12. Burden of Proof.

The applicant for a permit shall have the burden of proving by a preponderance of the credible evidence that the work proposed in the application will not have unacceptable significant or cumulative effect upon the wetland values protected by this ~~the~~ Bylaw. Failure to provide adequate evidence to the Commission supporting this burden shall be sufficient cause for the Commission to deny a permit or grant a permit with conditions.

Section § 561- 13. Relation to the Wetlands Protection Act.

This Bylaw is adopted under the Home Rule Amendment of the Massachusetts Constitution and the Home Rule Procedures Act. ~~statutes, independent of the Wetlands Protection Act, M.G.L., c. 131, Section 40, and regulations thereunder.~~

Section § 561- 14. Severability.

The invalidity of any section or provision of this ~~the~~ Bylaw shall not invalidate any other section or provision thereof, nor shall it invalidate any permit or determination which previously has been issued.

FILING PROCEDURE

Procedure for Filing a Notice of Intent

A complete Notice of Intent Application must contain the following:

- ~~_____~~ A. A complete Notice of Intent form (Form 3 or Form 4).
- ~~_____~~ B. A certified copy of the abutters list within 300 feet of the proposed project.
- ~~_____~~ C. A site locus map.
- ~~_____~~ D. Necessary plans for the project, supporting data and calculations.

~~The following steps are necessary for the submittal of the Notice of Intent:~~

- ~~_____~~ 1. 8 copies of the Notice of Intent and associated plans are to be given to the Conservation Commission secretary for distribution to the various boards.
- ~~_____~~ 2. 2 copies of the Notice and the plans must be sent to the D.E.P. by certified mail and a copy should be forwarded to the Army Corp. of Engineers.
- ~~_____~~ 3. Filing fee checks must accompany the filing — state fees and town fee as determined by the filing fee schedule of 1997.
- ~~_____~~ 4. The additional plans are sent to individual town boards for their comments:
Board of Health, Town Engineer, Board of Appeals, Board of Selectmen, Building Inspector, Planning Board.
- ~~_____~~ 5. The filing fee check(s) will be deposited with the Treasurer and recorded in the Conservation Commission's ledger.
- ~~_____~~ 6. A hearing date will be scheduled according to the Conservation Commission case load.

~~7. A legal notice is typed for placement in the Walpole Times one week prior to the scheduled hearing. A copy of this typed notice will be sent to the applicant for use in notifying abutters. The applicant is required to mail out these notifications and return them the night of the scheduled hearing with evidence that at least 50% of the letters have been received.~~

D.E.P. and Army Corp. of Engineers Addresses

~~Department of Environmental Protection~~

~~Northeast Regional Office~~

~~Ten Commerce Way~~

~~Woburn, Massachusetts 01801~~

~~Department of the Army~~

~~New England Division, Corps. of Engineers~~

~~424 Trapelo Road~~

~~Waltham, Massachusetts 02254 9149~~

~~Any questions regarding the Walpole Wetlands Bylaw should be directed to the Walpole Conservation Commission, (508) 660 7268~~

Or to take any action in relation thereto. (Petition of the Conservation Commission)

ARTICLE 23: To see if the Town will vote to amend Section 9G of Chapter 499 of the General Bylaws, **Stormwater and Erosion Control Bylaw**, by inserting the following language at the end of said section:

Any person filing an application with the commission shall at the time give written notice thereof, by certified mail, certificate of mailing, or hand delivery, to all the abutters according to the most recent records of the assessor, including those across a traveled way or body of water. The notice to abutters shall include the date, time and place of the hearing and where copies of the application and plans may be examined by abutters free of charge,

Or to take any action in relation thereto. (Petition of the Conservation Commission)

ARTICLE 24: To see if the Town will vote to amend Section 6.C.8.F of the Zoning Bylaw, amending the Schedule of Use Regulations thereof as follows:

By deleting Section 6.C.8.F in its entirety, inserting in its place the words “Reserved for Future Use” and adding the verbiage from Section 6.C.8.F to the “Definitions” section of the Zoning Bylaw and amend the Zoning Bylaw, Section 6B Schedule of Dimensional Regulations Required Setbacks as follows:

Park, School, Recreation and Conservation – Minimum Sideyard Setback (feet): change 25² to 25

Rural – Minimum Sideyard Setback (feet): change from 25² to 25⁴

Residence A – Minimum Sideyard Setback (feet): change from 20² to 20⁴

Or take any action in relation thereto. (Petition of the Planning Board)

ARTICLE 25: To see if the Town will vote to amend the Zoning Bylaw, SECTION 6.C.11 Projections by adding the word “deck” to the second line. Said sentence to read as follows: “Nothing herein shall prevent the projection of eaves, chimneys, or cornices not encroaching more than eighteen (18) inches into the setbacks, unclosed porches, decks, porticos.....”
or take any action in relation thereto. (Petition of the Planning Board)

ARTICLE 26: To see if the Town will vote to amend the Zoning Bylaw, Section 13.2 as follows:

Amend SECTION 13.2 APPLICABILITY by inserting the following:

Section 13.2.A: By adding the words “over 3 families”. Section 13.2.A will read: “All new multi-family **over 3 families**, commercial and industrial construction;....”

Section 13.2.B: By adding the words “over 3 families”. Section 13.2.B will read: “All multi-family **over 3 families**, commercial and industrial additions....”

Section 13.2.C: By deleting the word “by” and also adding the words “or less than 10% increase in existing parking”. Section 13.2.C will read: “Construction or creation of any new parking lot or the expansion, or redesign of an existing parking lot with more than six (6) parking spaces **or less than 10% increase in existing parking;**”

Section 13.2.E: By adding the words “**and 3**” to the first sentence and the word “conforming” to the third sentence and adding the following “**use change where no physical expansion are being made to a conforming Site or Building.....**” Section 13.2.E will read: All uses requiring a Special Permit under Section 5.B, except for one, two **and 3** family residences, **use change where no physical expansions are being made to a conforming Site or Building**, and for those uses or activities specifically exempted from Site Plan Review in other sections of the Zoning Bylaw; and,.....”

Add a new Section 13.2.G to read: “**Uses that require a Special Permit that meet the requirements of Limited Site Plan Review may be submitted as such without the need for a Full Site Plan.**”
Or take any action in relation thereto. (Petition of the Planning Board)

ARTICLE 27: To see if the town will vote to amend the Zoning Bylaw, SECTION 5 USE REGULATIONS AS FOLLOWS:

AMEND SECTION 5B.3.r by deleting the words” private guest house, caretaker’s quarters,” such that Section 5B.3.r. shall read as follows: **“Accessory where incidental to a permitted use, including the following: greenhouse, stable, tool shed, playhouse, tennis court, boathouse or other similar building or structure for domestic storage use.”**

AMEND SECTION 5B.4.n by changing **“SPZ”** to **“A”** under HB and LM headings

AMEND SECTION 5B.4.p.i by changing **“X”** to **“SPZ”** under HB heading

AMEND SECTION 5B.4.p.ii by changing **“X”** to **“SPZ”** under HB heading

AMEND SECTION 5B.4.p.iii by changing **“X”** to **“SPZ”** under HB heading (3)

AMEND SECTION 5B.4.p.iv by changing **“X”** to **“SPZ”** under HB heading

AMEND SECTION 5B.5.w by deleting Section 5.B.w in its entirety and inserting in its place the words **“Reserved for Future Use”**. Or to take any other action in relation thereto. (Petition of the Planning Board)

ARTICLE 28: To amend the Town zoning overlay district so that it includes the property at 100 Neponset Street (further described below) within the Large-Scale Ground-Mounted Solar Photovoltaic Overlay District (SPOD), and to amend the SPOD map by revising the boundaries of the overlay district map entitled, “Large-Scale Ground-Mounted Solar Photovoltaic Overlay District (SPOD), Town of Walpole” dated August 2011, to include the property located at 100 Neponset Street, Walpole MA as described on Assessors Map 52, Lot 78, substantially as shown on a map attached hereto, copies of which have been placed on file and can be viewed in the offices of the Town Clerk, Board of Selectmen, and Planning Board, or act or do anything relating thereto. (Petition of Baker Hughes Incorporated).

ARTICLE 29: To see if the Town will vote to amend its zoning overlay district map by revising the boundaries of the overlay district entitled, "Large-Scale Ground-Mounted Solar Photovoltaic Overlay District (SPOD), Town of Walpole" dated August 2011, by adding the following property located off Norfolk Street, Walpole MA as described on Assessors Map 40, Lot 116, substantially as shown on a map attached hereto, copies of which have been placed on file and can be viewed in the offices of the Town Clerk, Board of Selectmen, and Planning Board, or to take any action in relation thereto. (Petition of Bird and Son, Inc.)

ARTICLE 30: To see if the Town will vote to accept York Circle from its beginning at STA 0 + 23 to its end at 3+83.19+/-, including any easements and utilities appurtenant thereto, and to appropriate the sum of \$379 for recording of documents at the Registry of Deeds, or to take any action in relation thereto. (Petition of Board of Selectmen)

ARTICLE 31: To see if the Town will vote to accept Atlantic Court from its beginning at STA 0 + 23 to its end at STA 6+95.57 +/-, including any easements and utilities appurtenant thereto, and to raise and appropriate or transfer from available funds the sum of \$379 for recording of documents at the Registry of Deeds, or take any action in relation thereto. (Petition of Board of Selectmen)

ARTICLE 32: To see if the Town will vote to accept Dew Drop Way from its beginning at STA 0 + 23 to its end at STA 3+11.76 +/-, including any easements and utilities appurtenant thereto, and to raise and appropriate or transfer from available funds the sum of \$379 for recording of documents at the Registry of Deeds, or to take any action in relation thereto. (Petition of Board of Selectmen)

ARTICLE 33: To see if the Town will vote to accept Lexington Drive from its beginning at STA 0 + 80.12 at 20+87.20 +/-, including any easements and utilities appurtenant thereto, and to appropriate the sum of \$454 for recording of documents at the Registry of Deeds, or to take any action in relation thereto. (Petition of Board of Selectmen)

ARTICLE 34: To see if the Town will vote to accept Anderson Way from its beginning at STA 0 + 23 to its end at STA 17+47.66 +/-, including any easements and utilities appurtenant thereto, and to raise and appropriate or transfer from available funds the sum of \$454 for recording of documents at the Registry of Deeds, or to take any action in relation thereto. (Petition of Board of Selectmen)

ARTICLE 35: To see if the Town will vote to accept Hound Pack Circle from its beginning at STA 0 + 23 to its end at STA 23+34.26 +/-, including any easements and utilities appurtenant thereto, and to raise and appropriate or transfer from available funds the sum of \$454 for recording of documents at the Registry of Deeds, or to take any action in relation thereto. (Petition of Board of Selectmen)

ARTICLE 36: To see if the Town will vote to accept Mansion Drive from its beginning at STA 0 + 00 to its end at STA 11+48.94 +/-, including any easements and utilities appurtenant thereto, and to appropriate the sum of \$379 for recording of documents at the Registry of Deeds, or to take any action in relation thereto (Petition of Board of Selectmen)

ARTICLE 37: To see if the Town will vote to accept Millbrook Ave from its beginning at STA 0 + 00 to its end at STA 26+07.61 +/-, including any easements and utilities appurtenant thereto, and to appropriate the sum of \$530 for recording of documents at the Registry of Deeds, or to take any action in relation thereto. (Petition of Board of Selectmen)

ARTICLE 38: To see if the Town will vote to accept Norton Avenue from its beginning at STA 0+00 to its end at STA 6+04.19+/- including any easements and utilities appurtenant thereto, or take any action in relation thereto. (Petition of Board of Selectmen)

ARTICLE 39: To see if the Town will vote to accept Hartshorn Road from its beginning at STA 0+00 to its end at STA 2+49.92+/- including any easements and utilities appurtenant thereto, or take any action in relation thereto. (Petition of Board of Selectmen)

And you are hereby directed to serve this warrant by posting attested copies thereof in at least two public places in each precinct in said Town not less than seven days before the day appointed for said meeting.

Hereof fail not make due return of this warrant with your doings thereon to the Town Clerk

BOARD OF SELECTMEN

A true copy:
By virtue of the within warrant I have notified the inhabitants of the Town of Walpole qualified to vote in elections and town affairs, to meet at the time and place for the purpose mentioned in said warrant by posting attested copies thereof in at least two public places in each precinct of said town not less than seven days before the day appointed for said meeting.

Constable of Walpole

Date Posted

